



Attachment F2
COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Board of Supervisors

*Promoting the wise use of land
Helping build great communities*

MEETING DATE November 4, 2014	CONTACT/PHONE Terry Wahler, 781-5621	APPLICANT Earl J. Darway Family Trust	FILE NO. AGP2013-00013						
SUBJECT Proposal by the Earl J. Darway Family Trust to establish an agricultural preserve to enable the applicant to enter into a land conservation contract. The subject parcel (from Lot Line Adjustment COAL14-0022) consists of 25 acres located within the Agriculture land use category at 215 Green Gate Road, approximately 400 feet north east of the intersection of Carpenter Canyon Road (Highway 227) and Price Canyon Road, 2.5 miles south east of the City of San Luis Obispo. The site is in the South County Planning Area, San Luis Obispo Sub Area South.									
RECOMMENDED ACTION The Agricultural Preserve Review Committee and Planning Commission recommend approval of this request to establish an agricultural preserve to the Board of Supervisors as follows: <table><tr><td>Preserve Designation:</td><td>Edna Valley Agricultural Preserve No. 42</td></tr><tr><td>Minimum Parcel Size:</td><td>20 acres</td></tr><tr><td>Minimum Term of Contract:</td><td>20 years</td></tr></table>				Preserve Designation:	Edna Valley Agricultural Preserve No. 42	Minimum Parcel Size:	20 acres	Minimum Term of Contract:	20 years
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ENVIRONMENTAL DETERMINATION A Class 17 Categorical Exemption was issued on September 17, 2014 (ED14-070).									
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION Airport Review, Flood Hazard	ASSESSOR PARCEL NO: 044-161-008 (ptn.)	SUPERVISOR DISTRICT(S) 3						
PLANNING AREA STANDARDS: None Applicable		LAND USE ORDINANCE STANDARDS: Section 22.22.040 – Minimum parcel size for agriculture category							
EXISTING USES: Irrigated row crops									
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture/vineyard, rural residences <i>East:</i> Agriculture/dry farm, horse farm, construction yard <i>South:</i> Agriculture/row crops, vineyard, rural residences <i>West:</i> Agriculture/vineyards, rural residences									
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: None									
TOPOGRAPHY: Generally flat		VEGETATION: Row Crops (cultivated area), riparian area, oak trees							
PROPOSED SERVICES: Not applicable to Agricultural Preserve application		ACCEPTANCE DATE: July 25, 2014							
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER <input type="checkbox"/> SAN LUIS OBISPO <input type="checkbox"/> CALIFORNIA 93408 <input type="checkbox"/> (805) 781-5600 <input type="checkbox"/> FAX: (805) 781-1242									

PROJECT REVIEW

Background

The landowner has submitted a lot line adjustment to reconfigure three legal parcels into a new configuration. Two of the resulting parcels are the subject parcels for the two Agricultural Preserve applications. This application (AGP2013-00013) is for resulting Parcel 3 of the lot line adjustment. Parcel 3 will be 25 acres in size. The Agricultural Preserve application is proceeding to the Review Committee for a recommendation before the lot line adjustment is acted on at a Planning Department Hearing so that Williamson Act issues can be addressed and considered with the lot line adjustment.

Site and Area Characteristics

The property is flat and is currently used for irrigated row crops which is also the historical use of the property. A small area of the site includes a riparian corridor.

The following table shows the Natural Resources Conservation Service soils rating of the site:

Land Capability Class		Irrigated Row Crops	Homesite & barns	Fallow/Riparian	Acres
If Irrigated	Non-Irrigated				
1	3	21.25	na	0.75	22
3	3	2.25	na	0.25	2.5
4	4	0.5	na	na	0.5
TOTALS		24		1	25

Exhibit A shows the location, topography, and land use designations of the site and adjacent properties.

Establishing an Agricultural Preserve

The Rules of Procedure provide that a property must first be under an Agricultural Preserve in order to qualify for a land conservation contract as an individual property. Section B.1.b.(3) High Productivity Prime Land (Small Specialized Farms) allows for the establishment of 20 acre agricultural preserves if 10 of the 20 acres is fully planted in irrigated crops with Class 1 or 2 soils and if the land planted in irrigated crops has produced an annual gross value of \$2,000 or more per acre for three of the previous 5 years. The 25 acres in Parcel 3 exceeds the gross acreage necessary to qualify as a High Productivity Prime Land agricultural preserve. The 25 acre site is planted in 24 acres of irrigated row crops with 21.25 acres in Class 1 soil and 2.75 acres in Class 3 and 4 soils. The applicant has provided crop and financial reports indicating annual gross value in excess of the \$2,000 per acre for the last three years.

Qualifying for a Land Conservation Contract

To qualify for a land conservation contract under Section B.1.b.(3) High Productivity Prime Land (Small Specialized Farms), the property must have 10 of the 20 acres fully planted in irrigated crops on Class 1 or 2 soils and irrigated crops which have produced an annual gross value of \$2,000 or more per acre for three of the previous 5 years. The property has 21.5 acres planted in irrigated crops on Class 1 soil and meets the income criteria as noted above.

The appropriate minimum parcel size is 20 acres and the appropriate term of the contract is 20 years since the site is located over one mile from the city limits of San Luis Obispo.

Agricultural Preserve Review Committee

The following is an excerpt from the Minutes of the Regular Meeting of the Agricultural Preserve Review Committee held on September 29, 2014, at the U.C. Cooperative Extension Auditorium, 2156 Sierra Way, San Luis Obispo, California, at 1:30 p.m.

Terry Wahler: presents the staff report, describes the property, the agricultural use and the basis for eligibility. Notes that a lot line adjustment is in process on the property and the resulting Parcel 3 of COAL 14-0022 is the subject this application.

Jamie Kirk, agent, provides history of property, farming operation and presents agricultural income information.

Committee Members discuss the request

Bill Robeson: asks if there are any further questions

Bill Robeson: Opens Public Comment with no one coming forward.

Following the discussion, Lynda Auchinachie moved to recommend the Board of Supervisors approve this request to establish an agricultural preserve to enable the applicant to enter into a land conservation contract. Preserve Designation: Edna Valley Agricultural Preserve No. 42; Minimum Parcel Size: 20 acres. Minimum term of Contract: 20 years. This motion was seconded by Jennifer Anderson, and unanimously approved on an 8-5 vote with the Farm Advisor, Farm Bureau, Soil Science, Public at Large and Land Conservancy of San Luis Obispo County members being absent.

RECOMMENDATIONS

The Agricultural Preserve Review Committee and Planning Commission recommend approval of this request to establish an agricultural preserve to the Board of Supervisors as follows:

Preserve Designation:	Edna Valley Agricultural Preserve No. 42
Minimum Parcel Size:	20 acres
Minimum Term of Contract:	20 years

FINDINGS

- A. The proposed establishment of this agricultural preserve is consistent with the San Luis Obispo County General Plan, including the Land Use Element, Agriculture Element, the Conservation and Open Space Element, and the county's Rules of Procedure to Implement the California Land Conservation Act of 1965.
- B. The proposed establishment of this agricultural preserve is appropriate and consistent with the rural character of the surrounding area.

Report prepared by Terry Wahler
Agricultural Preserve Program

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